



## **Bureau of Security and Investigative Services**

### **Advisory Committee Meeting Minutes**

### **For July 22, 2021 Meeting**

#### **WebEx Teleconference Meeting**

#### **Industry Members Virtually Present**

Brian Boeglin (Alarm Company Industry)  
Phil Chachere (Training Facilities Industry)  
Frank Huntington III (Private Investigator Industry)  
Mark Miller (Private Patrol Operator Industry)  
Chris Sayers (Proprietary Security Employer Industry)  
Glenn Younger (Locksmith Industry)

#### **Public Members Virtually Present**

Anton Farmby  
Darren Morgan  
Nancy Murrish  
Eli Owen  
Stanton Perez

#### **Members Absent**

N/A

#### **Bureau Staff Virtually Present**

Lynne Andres – Chief  
Gloriela Garcia – Deputy Chief, Licensing and Policy  
Samuel Stodolski – Deputy Chief, Enforcement  
Antoine Hage – Manager, Policy and Administration Unit

#### **DCA Staff Virtually Present**

Carrie Holmes – Deputy Director, DCA Board and Bureau Relations  
Brittany Ortega – WebEx Moderator

## **Minutes Taken By**

Nicole Ishiura

### **1. Call to Order**

The meeting is called to order at 10:00am by Chief Andres.

### **2. Roll Call**

BSIS Policy Manager (PM), Antoine Hage, called roll at 10:01am. *The teleconference experienced technical issues, disrupting the audio and video at 10:02am. The webcast regained audio and visual after an indeterminate period of time.*

Quorum was established with 7 members virtually present. *Members Anton Farmby, Darren Morgan and Eli Owen, who represent the public, and Member Glenn Younger, who represents the Locksmith Industry joined the meeting late.*

### **3. Review and Approval of Advisory Committee Meeting Minutes from February 26, 2021**

Member Frank Huntington III, who represents the Private Investigator Industry, motioned to approve the minutes from the February 26, 2021 meeting at 10:03am. Member Brian Boeglin, who represents the Alarm Company Industry, seconded the motion. PM Hage called roll to pass the motion to approve the minutes; motion passed 8 – 0.

### **4. DCA Executive Update**

At 10:05am, Carrie Holmes, Deputy Director (DD) of DCA's Board and Bureau Relations (BBR), provided a Departmental update and insight into BBR's role apropos the Bureau's Advisory Committee. She congratulated the seven recently reappointed Advisory Committee Board members and reminded all members that they must complete the mandated sexual harassment prevention training. DD Holmes thanked Chief Andres and Bureau staff for their hard work and dedication during the pandemic, highlighting that BSIS staff worked under a 10% pay cut, forgoing cost of living increases, and expected pay raises. DD Holmes also noted Governor Newsom's June 17, 2021 Executive Order (E.O. N-09-21)<sup>1</sup> that expedited Cal/OSHA's revised COVID-19 regulations and urged attendees to review local health officer orders to determine if mask mandates have been reinstated. Finally, remote meetings are contingent on the Governor's executive orders and the state of emergency, which expires on September 30, 2021. Upon the executive order's expiration, the Bureau will be required to comply with all

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<sup>1</sup> To view the full text of the executive order, visit <https://www.gov.ca.gov/wp-content/uploads/2021/06/6.17.21-ETS-EO-N-09-21.pdf>

aspects of the Open Meetings Act<sup>2</sup>. DD Holmes offered the BBR's assistance with future in-person or hybrid meeting options then reintroduced Chief Andres.

Chief Andres asked if Members had any questions for DD Holmes.

Member Anton Farmby, who represents the public, asked DD Holmes whether the Governor's Office or DCA has provided guidance on what they should expect with the COVID-19 delta variant.

DD Holmes referenced her earlier comments that changes are at the regional level.

Chief Andres asked if there any other questions.

Member Brian Boeglin, who represents the Alarm Company Industry, asked about pending legislation that makes changes to the advertisement requirement for alarm company licensing numbers. Specifically, he questioned whether DCA planned to implement conforming language in the Business and Profession Code sections for other DCA Boards and Bureaus.

DD Holmes questioned whether Member Boeglin was referring to digital licensing options.

Member Boeglin noted the pending legislation allows for the display of the company's online landing page/url in lieu of the individual license number on their vehicles and marketing.

Chief Andres clarified that Member Boeglin was referencing AB 484<sup>3</sup>.

DD Holmes stated she was not familiar with AB 484 then noted high-level discussions to utilize technology in the licensing process (e.g., QR codes, blockchain, etc.) that prioritizes data security and accuracy. DD Holmes added no official plans have been announced.

Member Boeglin asked if there is a legislative point of contact within the Department.

DD Holmes said that she would introduce Deputy Director of Legislative Affairs Jennifer Simoes to Member Boeglin.

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<sup>2</sup> <https://oag.ca.gov/open-meetings>

<sup>3</sup> To view the full text of the proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB484](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB484)

Chief Andres asked if there were any public comments or questions on the agenda item.

The moderator, Brittany Ortega, provided instructions on how to make a public comment then opened the question and answer (Q&A) panel for public comment. Upon no response, the Q&A panel was closed by the moderator.

## **5. Bureau Chief's Introduction, Welcome Remarks, and Bureau Updates**

At 10:16am, Chief Andres thanked Committee Members for their commitment then mentioned the two vacancies still remaining on the Advisory Committee – the Repossession Agency Industry member and a public member. She reminded attendees to review the firearms requalification waiver<sup>4</sup> that was posted to the Bureau's website.

The Chief reported that online application times are aligned with the CA Department of Justice's (DOJ) fingerprint processing turnaround time (i.e., applicants are licensed once their fingerprints clear); however, she announced the DOJ is currently experiencing a 2-3 week delay. She strongly recommended all applicants apply and renew online through BreZE due to its significantly faster processing times.

Chief Andres then transitioned to the Bureau's website- asking the Committee if they had heard any feedback regarding the redesigned website<sup>5</sup>, which launched in August 2020.

Member Farmby reminded Committee Members that he represents security officers in the state of California. He mentioned the security officers, who he meets with on a monthly basis and who frequently visit the Bureau's website, have provided positive feedback, noting the website is easier to navigate and more user-friendly.

Chief Andres reminded attendees that applicants and licensees can view the current application processing timeframes on the Bureau's homepage ([www.bsis.ca.gov](http://www.bsis.ca.gov)) after scrolling down the page slightly and clicking on the "Application Processing Timeframes" button<sup>6</sup>. She also recommended that those looking to receive an update on the status of their application first check the application processing timeframes on the Bureau's website. She emphasized applicants should email the Bureau directly, rather than calling, if their application

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<sup>4</sup> [https://bsis.ca.gov/forms\\_pubs/requalification\\_order.shtml](https://bsis.ca.gov/forms_pubs/requalification_order.shtml)

<sup>5</sup> <https://bsis.ca.gov/>

<sup>6</sup> Processing timeframes can be viewed directly at  
[https://bsis.ca.gov/forms\\_pubs/app\\_processing\\_timeframes.shtml](https://bsis.ca.gov/forms_pubs/app_processing_timeframes.shtml)

is outside the processing timeframe window through the Contact Us link<sup>7</sup> on the top left-hand side of the Bureau's website. By contacting the Bureau via email, the question goes directly to the **BSIS** subject matter expert whereas if you call in, you will be directed to **DCA**'s Call Center staff, who provide general information to callers. The Chief emphasized Call Center staff do not work for the Bureau and answer calls for other DCA Boards and Bureaus.

Member Mark Miller, who represents the Private Patrol Operator Industry, asked when an applicant should use the Contact Us feature to inquire about their application status.

Chief Andres restated applicants should contact the Bureau once they are **outside** the application processing timeframe.

Member Miller thanked Chief Andres for her clarification.

Chief Andres asked if there were any other questions.

Member Boeglin congratulated the Bureau on the redesign of the website. He suggested adding information regarding each industry's allowed scope of work under the Bureau's jurisdiction as he frequently receives questions on the topic. He also mentioned companies are currently not able to update their address online in BreZE and asked for clarification on the correct process to update multiple licensee addresses at once.

Chief Andres noted some address changes must be completed in a certain format and suggested Member Boeglin contact the Alarm Company desk with any questions regarding the process. The Chief then deferred to Deputy Chief of Licensing (DC-L), Gloriela Garcia and PM Antoine Hage.

DC-L Garcia noted company address changes must be done in writing as principals/officers were historically unaware of such changes.

PM Hage stated the Bureau previously encountered issues where one principal would "hijack" a license by updating the company address. He assured Members that Licensing is reviewing best practices but emphasized they must balance maintaining oversight with a streamlined the process, which will be a difficult feat. Until a process has been finalized, PM Hage recommended company licensees contact the corresponding company desk with a list of all license numbers needing an address update. The corresponding Bureau staff member will then complete the address change requests for the license(s) included in the request.

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<sup>7</sup> Contact Us can be accessed directly at <https://bsis.ca.gov/webapps/contact.php>

Chief Andres noticed Member Phil Chachere, who represents the Training Facilities Industry, had unmuted himself; she asked if he had a question.

Member Chachere reported he received a renewal notice for his security guard registration but when he went to renew his registration online in BreEZe, his guard card was not listed. He asked the Chief how to renew.

Chief Andres deferred to DC-L Garcia.

DC-L Garcia said that there is a tutorial<sup>8</sup> on the Bureau's website that walks the user how to link their license to their BreEZe account. *PM Hage and DC-L Garcia attempted to locate file on website.*

Chief Andres reminded attendees that the Bureau has limited IT resources as it relates to BreEZe- the Bureau is only allotted three enhancements/improvements to the platform per quarter.

Member Miller asked the Chief to provide some examples of future enhancements to the platform.

Chief Andres said that platform improvements would be discussed in DC-L Garcia's Licensing Unit update.

DC-L Garcia stated she was not able to find the resource for Member Chachere and instead referred him to email the SIS box ([bsis@dca.ca.gov](mailto:bsis@dca.ca.gov)) for assistance. She noted that the response time for the SIS box is approximately 24-48 hours.

Member Chachere then provided feedback from multiple BSIS baton permitholders who have reported that the permit number that returns in the DCA License Search<sup>9</sup> does not reflect the permit number on their physical baton permit.

Chief Andres deferred to DC-L Garcia.

DC-L Garcia stated she was not aware of the issue and asked Member Chachere to provide her with the affected permit numbers so the Bureau could do additional research into the matter.

Chief Andres asked if there were any other questions. With no other questions from the Committee, questions and comments were opened to the public.

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<sup>8</sup> [https://www.bsis.ca.gov/about\\_us/agendas/20180412\\_7\\_2.pdf#page=7](https://www.bsis.ca.gov/about_us/agendas/20180412_7_2.pdf#page=7)

<sup>9</sup> <https://search.dca.ca.gov/>

The moderator provided instructions on how to make a public comment then opened the question and answer (Q&A) panel for public comment. Upon no response, the Q&A panel was closed by the moderator.

## **6. Update on the Bureau's Licensing Unit**

At 10:37am, Chief Andres asked attendees to refer to the *BSIS Staff Report*<sup>10</sup> then introduced DC-L Garcia.

DC-L Garcia announced the June 23<sup>rd</sup> release of the newly redesigned enhanced photo identification (ID) cards<sup>11</sup> available for select license types. The ID cards for select licensees include the Bureau's new logo, are made of durable plastic, issued by PSI, and require a separate fee. The standard paper licenses, in comparison, are issued to all license types by the Bureau at no cost. She noted the license types eligible to receive a photo ID card from PSI are: Alarm Company Qualified Manager (ACQ), Alarm Company Employee (ACE), Locksmith Employee (LOC), Private Investigator (PI), Repossessor Agent (RAE), Repossessor Qualifying Manager (RAQ), and Security Guard (G).

DC-L Garcia then announced an enhancement to the BreEZe platform that allows individuals renewing their firearms permit to view their application deficiencies online. She instructed the moderator to display page 2 of the *BSIS Staff Report*<sup>12</sup> so she could review the changes with the Committee. Once the document was shared with the Committee, DC-L Garcia explained the process for users to determine the status of their firearms renewal application, including any application deficiencies, by clicking on the Details button associated with *Bureau of Security & Investigative Srvc – Firearm Permit Renewal*, which is under the *View Application Status* section of the Quick Start Menu. This enhancement allows applicants to be proactive in their firearms renewal process by viewing their application deficiencies in real-time. DC-L Garcia revealed the Bureau intends to release this feature for initial firearms permit applications and, eventually, the remaining of license types based on the results of this pilot test with the firearms renewal applications.

DC-L Garcia reminded attendees to apply online in BreEZe and asked the Committee to recommend the process to their licensees. She disclosed the Bureau received 54% of initial applications online compared to 46% of initial applications submitted via paper/hard copy. For renewal applications, 66% were submitted online compared to 34% submitted via paper application. DC-L Garcia noted that online applications allow the Bureau to reduce its application

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<sup>10</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf)

<sup>11</sup> <https://www.bsis.ca.gov/licensees/photoid.pdf>

<sup>12</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=2](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=2)



processing timeframe (i.e., licenses/renews applicants faster). She then asked the Committee if they are recommending applying online and asked for feedback on BreEZe.

Member Miller stated he always emphasizes applying online and hopes the Bureau can fully transition to online applications. He then asked if the 54% of initial applications submitted online included *all* BSIS license types.

DC-L Garcia verified that the statistics she previously provided reflected all initial applications. She then estimated that approximately 80%-90% of all Security Guard applications are submitted online.

Member Miller asked if the enhanced photo ID cards are laminated or made of PVC (i.e., polyvinyl chloride).

DC-L Garcia stated that the photo ID cards are made of durable plastic.

Member Miller then asked how much the photo IDs cost.

DC-L Garcia said the photo ID cards for all eligible license types other than Private Investigator cost \$5. She explained that the photo ID cards for Private Investigators are \$4 as a result of enacted legislation.

Member Miller asked when the application deficiencies would be available to view in BreEZe for initial firearm applications.

DC-L Garcia stated the functionality has already been deployed to the platform; however, internal training for the staff who process the applications is still required. She then approximated the feature would be available at the end of the month and instructed the Committee to await the official announcement regarding its release, which will be sent out via the Bureau's email ListServ<sup>13</sup> and social media accounts.

Member Miller then asked if DC-L Garcia could share the most frequent initial and renewal application deficiencies.

DC-L Garcia said the Bureau often receives applications that are not complete (e.g., missing social security number (SSN) or address of record). She asked the Committee if the addition of an application checklist that lists all mandatory fields would be beneficial to applicants.

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<sup>13</sup> Sign up to receive email notifications from the Bureau at <https://bsis.ca.gov/subscriptions.shtml>



Member Miller stated a checklist would help applicants.

PM Hage likened the proposed checklist to the requalification table<sup>14</sup> found in the firearms renewal application- a resource included within the application's instructions that assist individuals to submit a complete (i.e., non-deficient) application.

Member Miller said the process would empower the applicant and speed up the licensing process. He then asked if the ability to view application deficiencies in BreEZe would be added for all license types.

DC-L Garcia said the Bureau will be rolling out the functionality based on each license type's population size, with the largest license types prioritized.

Member Miller asked when the functionality would be rolled out for security guards.

DC-L Garcia stated the functionality will first be rolled out in the firearms license type then the Bureau will conduct a lessons learned review of the process. As the Bureau is in its initial planning stages, she could not provide an accurate estimate on the rollout to additional license types. She assured the Committee that the Bureau intends to roll out the functionality across all license types and hope to include the ability to add notes in a future enhancement to the platform.

Chief Andres provided further insight into application deficiencies, stating that she processes applications in her down time. She echoed DC-L Garcia's common deficiencies, naming incomplete applications as the primary application deficiency. She noted she will often call the applicant on the phone to notify them of the deficiency and often receives pushback from applicants who are unwilling to provide their social security number. The Chief then revealed a common deficiency on firearms applications- incorrect information provided by the firearms instructor. Accordingly, if the firearms instructor provides incomplete or incorrect information, the processing of the application will be delayed as the Bureau must receive the corrected paperwork. She encouraged all applicants to verify the information on their initial and renewal applications to avoid application processing delays.

Member Miller agreed that applicants should review the information provided by the firearms instructor then asked if the Bureau plans on enhancing BreEZe to allow instructors to submit the firearms training documentation online.

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<sup>14</sup> [https://bsis.ca.gov/forms\\_pubs/fq\\_renewal.pdf#page=10](https://bsis.ca.gov/forms_pubs/fq_renewal.pdf#page=10)

Chief Andres stated the Bureau hopes to create a way for instructors or students to go online and fill out as much information as possible; however, she acknowledged companies do not have the bandwidth to sit down and enter the individual information on behalf of each applicant. She emphasized the Bureau's intent to move towards digital licensing- moving as many processes and procedures online, as possible.

Member Chachere asked whether the enhanced photo ID card expires.

Chief Andres stated the enhanced photo ID cards can be renewed and are built for durability.

Member Chachere then asked if the enhanced photo ID card is a requirement or an optional addition.

Chief Andres deferred to DC-L Garcia, mentioning prior plans to include a QR code on the ID card that directed the user to DCA License Search<sup>15</sup> where they could view an individual's real-time license status. She was unsure whether expiration dates are included on the enhanced photo ID cards and stated she would follow-up with Member Chachere once she received that information. She then confirmed that the enhanced photo ID cards are not required.

Member Huntington provided insight into the enhanced photo ID development, stating the original intent was a QR code; however, the license's expiration date will now be displayed.

Chief Andres said Private Investigators (PIs) did not want the QR code included on their enhanced photo ID cards; the Bureau is not sure on the status of the QR code for the remaining license types eligible to receive the photo ID card.

Member Huntington interrupted, noting DC-L Garcia was attempting to speak but was muted.

DC-L Garcia said the specifics surrounding the PI enhanced photo ID cards are determined by law- it includes the expiration date of the license and the licensee is only required to hold the single card. She encouraged the other industries to support legislation that enact comparable provisions within their Practice Acts.

Member Boeglin mentioned he received the initial version of the ID card then asked about the requirement for licensees to carry their license on them at all times. To avoid future enforcement issues, he asked if the Bureau could clarify

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<sup>15</sup> <https://search.dca.ca.gov/>

what needs to be present on the license that is carried on their person by the licensee; specifically, whether the expiration date is required.

Member Boeglin noted Bureau staff were muted.

PM Hage stated that if an eligible licensee went to PSI and received an enhanced photo ID, they would be able to carry that ID in lieu of the BSIS-issued paper license. He said the enhanced ID contains all required information: the licensee's first and last name, license number, expiration date, and picture. The card also includes verbiage instructing the consumer/member of the public to visit the website to verify the status of the license and any disciplinary actions. PM Hage then explained the difference between the PI enhanced photo ID cards and those offered to the other eligible license types, noting the requirement for PIs to *only* receive the enhanced photo ID cards was a result of legislation.

Member Boeglin asked if the enhanced photo IDs are intended as a more durable option compared to the paper license. He then directed a question to the Bureau's Enforcement Unit, asking if the paper and enhanced photo ID cards can be used interchangeably for all license types except PIs.

PM Hage verified that eligible licensees can use either the BSIS-issued paper license or the PSI-issued enhanced photo ID card.

Member Miller asked how security guards can get their photo on the enhanced photo ID card.

DC-L Garcia stated licensees can contact PSI.

PM Hage added that eligible licensees can visit any of the PSI centers throughout California<sup>16</sup>, tell them you want an enhanced photo ID, and provide them with your security guard registration.

Member Boeglin asked if BSIS is still planning to partner with the Department of Motor Vehicles (DMV) to provide the photos for the enhanced photo ID cards.

PM Hage said the project has been put on pause due to its complexity and the global COVID-19 pandemic. He stated the Bureau plans to re-examine the process at a later date.

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<sup>16</sup> To view the list of California PSI Centers that issue enhanced photo IDs, visit <https://www.bsis.ca.gov/licensees/photoid.pdf#page=3>

Member Boeglin said the virus motivated his question as many PSI locations were closed during the pandemic. With the inability to physically visit the PSI centers to take and receive the photo ID, he asked if the Bureau was looking into alternative methods to export the photo.

DC-L Garcia moved on to discuss the Bureau's current application processing timeframes, which are outlined in the *BSIS Staff Report*<sup>17</sup>. The report, which separated complete and incomplete (i.e., deficient) average application processing times, showed the Bureau's Licensing Unit meeting 90% of its target goals in fiscal year (FY) 2021/2022. She then detailed recent BreEZe enhancements that have been deployed to the platform:

- In August 2020, a requirement to upload documents was added to firearms applications to address deficient applications that were received without the required attachment.
- In November 2020, the renewal process in BreEZe was expanded from 90 days prior to the expiration of a license, registration, permit, or certificate to 120 days prior to its expiration.
- In December 2020, as a result of AB 2759<sup>18</sup>, the delinquency period of a Repossessor Agency license was extended from 3 years to 10 years.
- Between March – April 2021, the Bureau updated its renewal process by eliminating the mailed renewal coupon slips to security guards, alarm company employees, and firearms permit holders. To renew, they must either submit an application online or mail a paper application to the Bureau. DC-L Garcia highlighted the significant difference in application processing times: **4 days (online)** vs. **44 days (mailed)**. She urged licensees to renew online for the fastest processing of their renewal application.

Member Miller asked which license type's turnaround time was listed as 4 days.

DC-L Garcia said all employee applications are processed, on average, within 4 days.

Member Miller suggested improving the application processing timeframes included in the *BSIS Staff Report*<sup>19</sup> to better emphasize the speed of online licensing. He then asked if DC-L Garcia knew the average processing time for online applications.

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<sup>17</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=3](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=3)

<sup>18</sup> To view the full text of enacted legislation, visit [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB2759](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2759)

<sup>19</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=3](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=3)

DC-L Garcia stated the processing times vary according to license and application type but provided a general estimate of 10 business days for renewals.

Member Miller expressed concern that people are getting the wrong impression of application processing timeframe because the processing can take 4-5 days; however, when they check the Bureau's website, it shows a 60-day processing timeframe.

DC-L Garcia noted the Bureau has a page dedicated to its application processing timeframes<sup>20</sup> and recognized the potential for improvement. She asked the Committee to reach out to her with any suggested improvements to the site.

Chief Andres explained that the Bureau is required to report its processing times as an average; therefore, outliers in online processing drag the average time down.

Member Boeglin stated the Alarm Industry bases its success off lead times and asked if the Bureau planned on releasing the metrics to the public. He offered to disseminate the metrics amongst the Industry's through their association's publication.

DC-L Garcia said she would put something together for Member Boeglin to distribute.

DC-L Garcia asked the Committee if they have heard any feedback on the BreEZe platform.

Chief Andres noted that Members can always contact the Bureau after the meeting with any suggestions or comments regarding BreEZe.

Member Boeglin asked for clarification regarding the registration process for Alarm Company Employees. Specifically, he wanted to know if there was a provisional license number issued to applicants that they can include on contracts after they have submitted their initial application to the Bureau.

Chief Andres said DC-L Garcia and PM Hage would follow-up with Member Boeglin offline as there were many agenda items still left to discuss.

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<sup>20</sup> [https://bsis.ca.gov/forms\\_pubs/app\\_processing\\_timeframes.shtml](https://bsis.ca.gov/forms_pubs/app_processing_timeframes.shtml)

DC-L Garcia returned to the *BSIS Staff Report*<sup>21</sup>, providing an overview of the FY 21/22 Licensing Unit statistics. The table provides data on the total number of applications received, approved, and renewed by the Bureau and the total population for each license type. She then offered both herself and Chief Andres as presenters/speakers at industry meetings.

Member Miller asked if the licensing numbers have been posted on the Bureau's website.

DC-L Garcia said the statistics are in the *BSIS Staff Report*<sup>14</sup>.

Chief Andres recommended interested parties visit the Department's website<sup>22</sup> and search for annual reports<sup>23</sup> to review additional BSIS metrics. She noted the Bureau is currently finalizing its 2021 Annual Report, which should be published on DCA's website shortly.

Chief Andres asked if any other Advisory Members had questions for DC-L Garcia. After receiving no questions, the Chief asked the moderator to open the Q&A panel to the public.

The moderator provided instructions on how to make a public comment then opened the question and answer (Q&A) panel for public comment. Upon no response, the Q&A panel was closed by the moderator.

## **7. Update on the Bureau's Enforcement Unit**

At 11:15am, the Chief introduced Deputy Chief of Enforcement (DC-E) Sam Stodolski and asked the moderator to display the Enforcement section of the *BSIS Staff Report*<sup>24</sup>

DC-E Stodolski discussed the implementation of AB 2138<sup>25</sup>, which went into effect on July 1, 2020 and changed the parameters in which the Bureau reviews an individual's criminal history. The enacted legislation also changed the Bureau's ability to deny licensure based on criminal convictions and required the adoption of regulations. DC-E Stodolski outlined the major issue when implementing AB 2138- defining serious felonies. The legislation tied the definition to the California Penal Code; however, the provided definition is multifaceted and complex. DC-

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<sup>21</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#pag=6](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#pag=6)

<sup>22</sup> <https://www.dca.ca.gov/>

<sup>23</sup> Annual Reports can be accessed directly at

[https://www.dca.ca.gov/publications/annual\\_reports.shtml](https://www.dca.ca.gov/publications/annual_reports.shtml)

<sup>24</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=7](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=7)

<sup>25</sup> To view the full text of the enacted legislation, visit

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB2138](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2138)

E Stodolski said rap sheets do not provide specific details on an individual's criminal history; rather, they simply list the code sections for which individuals were convicted. To create a streamlined workflow, Enforcement staff is conducting significant and intensive research- if a license is denied, a case must be built to ensure it complies with AB 2138. He stated that the Bureau anticipated an increase in the number of rap sheets received by BSIS applicants; however, the number of rap sheets has not increased in the last year. DC-E Stodolski emphasized how criminal histories are reviewed has changed and provided recent statistics- the Bureau received roughly the same number of rap sheets and denied approximately the same number of applications FY 21/22 compared to FY 20/21. He then discussed the review process, which starts with a full examination of the applicant's criminal history and concludes with a holistic analysis of their convictions.

DC-E Stodolski asked the Committee if they had any questions on the changes made to the review of criminal convictions pursuant to AB 2138.

Member Boeglin asked for further clarification on the phrase "substantially related."

DC-E Stodolski announced that the Bureau's regulations<sup>26</sup>, specifically Sections 602 and 602.1, have been updated to reflect the requirements of AB 2138. When determining whether a crime is substantially related, staff review the nature and gravity of the event, the number of years that have lapsed since the date of the event, and the nature and duties of the profession for which the individual is seeking licensure. He explained that most applicants are in the security industry, whose job description is protecting persons and property; as such, there are many crimes that could be considered substantially related. He noted staff also consider rehabilitation criteria that examine an applicant's parole or probation status and participation in a diversion program. Additionally, staff will request court documents, before denying the license, if the rap sheet does not contain enough information. DC-E Stodolski warned the application processing times will be longer for those who have a criminal history because the review has become significantly more intensive.

Member Huntington asked DC-E Stodolski if the Bureau has access to the Department of Justice (DOJ).

DC-E Stodolski asked for clarification on what constituted access to DOJ.

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<sup>26</sup> Title 16, Division 7 of the California Code of Regulations available at [https://bsis.ca.gov/about\\_us/laws/bsis\\_regulations.pdf](https://bsis.ca.gov/about_us/laws/bsis_regulations.pdf)



Member Huntington said that as a private investigator, he does not have access to criminal history reports whereas law enforcement does. He then asked how the Bureau checks an applicant's background.

DC-E Stodolski stated the Bureau is a subscriber agency to the Criminal Offender Record Information (CORI), which allows the Bureau to receive and review applicant rap sheets. Additionally, he noted variances in the level of detail within individual rap sheets varies due to operational differences amongst arresting agencies.

Member Huntington said he is required to go to the courthouse to check an individual's criminal history then clarified that he wanted to verify that BSIS has access to rap sheets.

DC-E Stodolski stated the Bureau will request court documents upon the denial, if needed.

Member Huntington then recommended the Bureau follow SB 731<sup>27</sup>, which would limit access to criminal records if the individual has been clean for 2 years.

DC-E Stodolski asked if the Committee had any other questions.

Member Boeglin stated he receives frequent feedback from applicants requesting clarification on how their previous criminal convictions will affect their applications. With the new guidelines pursuant to AB 2138, he asked for clarification on how to address those questions.

DC-E Stodolski said there have been individuals who were convicted of murder, were denied a license as a result, appealed the decision with the Disciplinary Review Committee (DRC), then were issued a license. The appeal process allows individuals to explain their situation and if approved, grants them licensure. Out of an abundance of caution, DC-E Stodolski noted he prefers to deny a license, provide the applicant the ability to appeal the decision in front of the DRC, then let the Committee make the final determination on whether to issue the license. He recommended everyone apply, regardless of their criminal history- while some individuals may be denied a license, they are still able to go to the DRC and get a license through the appeal process.

Member Boeglin asked if question 10, regarding previous criminal convictions, on the application had been removed.

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<sup>27</sup> To view the full text of the proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB731](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB731)

DC-E Stodolski deferred to PM Hage.

PM Hage verified the conviction questions have been removed from all initial applications with the exception of Repossession Agency Employee (RAE) and Alarm Company Employee (ACE) applications. While the conviction questions remain on the RAE and ACE applications, they are both optional rather than mandatory.

DC-E Stodolski clarified ACEs cannot have a criminal history if they are issued a temporary registration and must disclose that on their application. Due to the parameters of AB 2138, the Bureau can no longer require applicants to answer the conviction questions. As both ACE and RAE applicants can work with a temporary registration, the questions must be included on the application.

PM Hage reiterated the conviction questions are optional.

Member Boeglin asked whether applicants would receive a provisional license if they do not answer the conviction questions.

DC-E Stodolski referenced the law, which states applicants should not be issued a provisional license if they have a conviction. He said the only applicants who should be issued a provisional license are those who have answered that they have not been convicted of a crime on the application and who haven't been convicted of a crime. In the past, applicants who answered no to a criminal history on their application despite having a criminal record were denied for licensure for the conviction(s) and perjury. With the passage of AB 2138, the Bureau is more restricted in its denial process. He then stated that the responsibility partially falls on the employer because the individual is hired prior to the Bureau's review of their application.

Member Boeglin then asked if it is based on the honor system – if the employer is reviewing the employee's application in BreZE and the applicant does not answer the question, the employer must assume the applicant is implying they do not have a conviction.

DC-E Stodolski said it's a grey area.

Chief Andres noted the Bureau still runs an applicant's fingerprints and receives their criminal history so the information provided on the application is verified.

DC-E Stodolski clarified that prior to the Bureau's process, the individual is working on a temporary/provisional license for the company. Once the individual submits

their application, they are then eligible to work if they do not have a criminal history. He noted the Bureau does not have control of the situation at that time as it yet to start processing the application or received the applicant's background information.

DC-L Garcia said the average application processing time for Alarm Company Employees is 35 days.

Member Miller asked if the processing time reflected online or paper applications.

DC-L Garcia stated the processing time is comprehensive of online and paper applications.

Member Boeglin asked how the Bureau would handle a case in which an applicant who optionally answers that they do not have prior convictions then subsequently, the Bureau receives substantially related criminal history.

DC-E Stodolski said perjury on the application would not be a direct cause for denial as the question is optional. If the conviction is a deniable offense, however, the Bureau could deny the license.

Member Chachere asked how extensive the Bureau investigates international applicants.

DC-E Stodolski said the Bureau is limited to the information provided by the California DOJ and Federal Bureau of Investigation (FBI). Further, the Bureau is not authorized to seek any international criminal background. He then suggested Member Chachere send him any relevant information.

Member Chachere said he submitted information on an individual that did not result in any action. He stated he attended a hearing on an injury lawsuit in which the company decided to settle out of court. The individual, who was from Australia, was able to receive a BSIS firearms permit within a year of moving to the United States. Member Chachere recently located the individual's firearms application that falsely stated the applicant was a firearms instructor.

DC-E Stodolski said he would follow-up with Member Chachere regarding this issue after the meeting.

DC-E Stodolski then asked if Members had any other questions on the review process. After receiving no additional questions, he provided an update on the Bureau's case management (CM) unit. The CM unit handles the Bureau's

disciplinary and appeal cases that have been referred to the Attorney General's (AG's) Office and monitors licensees during their probation, if applicable. The Bureau currently has 400 cases, which are overseen by 3 enforcement analysts. A majority of the cases are firearms assessments that have greatly impacted the Bureau's budget and reduces the overall amount of time the Deputy AGs have dedicated to work the Bureau's cases. As a result of this, the Bureau has been incredibly selective about what is sent to the AG's Office for enforcement. Currently, the Bureau is issuing citations on violations that it would normally file an accusation to revoke the license. Pending legislation to reduce the cumbersome nature of the appeals process, the Bureau will be able to utilize the AG's Office for enforcement purposes. He then asked if the Committee had any questions.

Member Boeglin asked if the information was posted on the Bureau's website.

DC-E Stodolski asked for clarification.

Member Boeglin stated the Alarm Company Industry is interested in the enforcement of unlicensed activity.

DC-E Stodolski said he has been in talks with PM Hage to post a list, either monthly or weekly, with all unlicensed activity citations issued by the Bureau.

DC-E Stodolski asked if the Committee had any other questions, after none were raised, he moved on to discuss the complaint intake/complaint resolution unit, which oversees the intake and initial resolution activities on consumer complaints. He emphasized that not all complaints can be resolved or mediated but the staff do their best. To give perspective, the unit's manager said the level of complaints and challenging behavior of the complainants has been unmatched in her nearly 30 years in complaint resolution with DCA. DC-E Stodolski characterized unit staff as patient and noted that both himself and Chief Andres have needed to intervene in instances in which complainants would not accept that their complaint could not be resolved in the manner they wanted. He then updated the Committee on the Bureau's enforcement unit, whose recently onboarded special investigator has been busy at work collaborating with local law enforcement and Cannabis Control for the service of warrants and sting operations. DC-E Stodolski shared the Bureau's future intent to reclassify current positions to place more special investigators in the field. He restated that 40% of issued citations were due to unlicensed activity and reassured the Committee that BSIS enforcement staff continued to conduct inspections throughout the COVID-19 pandemic via hybrid and in-person visits. He lauded staff's continued ability to reduce the number of days it takes to complete their investigation (i.e.,

investigation cycle time)- in FY 20/21, the average investigation was closed in 111 days; in FY 21/22, it's down to 79 days.

DC-E Stodolski asked if the Committee had any questions regarding the enforcement unit.

Member Boeglin asked DC-E Stodolski to provide an example of a non-jurisdictional complaint.

DC-E Stodolski said the Bureau is often falsely perceived to oversee collection agencies, investigate spouses, or address poor customer service. By law, the Bureau is required to respond to a complaint and try to provide them a direction to go with their complaint, even for non-jurisdictional complaints that the Bureau does not investigate. In instances in which a complaint is deemed non-jurisdictional, the Bureau will respond to the complainant and direct them to the correct regulatory agency.

Chief Andres asked the Committee if they had any further questions for DC-E Stodolski.

Member Darren Morgan, who represents the public, asked how the Bureau receives complaints- online or via phone.

DC-E Stodolski stated the Bureau receives complaints online, by phone, and by mail. He noted the majority of complaints are submitted online in BreEZe<sup>28,29</sup>; complainants who submit over the phone are asked to provide the Bureau with a written complaint. He said the Bureau also initiates complaints internally when it has pertinent information.

Member Huntington notified the Chief he will switching from his computer to his phone in order to catch a flight.

The Chief highlighted that those who want to submit a complaint can click on the Enforcement tab on the Bureau's homepage<sup>30</sup> rather than visiting BreEZe. She then asked the moderator to open the webcast for public questions or comments on this agenda item.

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<sup>28</sup> <https://www.breeze.ca.gov/datamart/complaint.do?applicationId=1>

<sup>29</sup> Additional information on complaints can be found at

<https://bsis.ca.gov/consumers/complaints.shtml>

<sup>30</sup> <https://bsis.ca.gov/enforcement/index.shtml>

The moderator provided instructions on how to make a public comment then opened the question and answer (Q&A) panel for public comment. Upon no response, the Q&A panel was closed by the moderator.

## **8. Update on Legislation Impacting the Bureau and the Private Security Industries**

At 11:45am, Chief Andres provided an update on relevant legislation, regulations, the Bureau's budget, and administrative issues. She asked the moderator to display the *BSIS Staff Report*<sup>31</sup> during her presentation. She noted the Bureau has 72.4 full-time staff and currently has an 8% vacancy rate- the lowest in Chief Andres' tenure at the Bureau. She announced the recently backfilled Staff Services Manager 1 (SSM1) position within the Licensing Unit and attributed the low vacancy rate to the Bureau's faster processing times.

The Chief then provided a grim forecast of the Bureau's budget due to the exponential costs associated with the firearms assessment. The firearms assessment, which has a failure rate of ~15%, has an incredibly high number of appeals that cost the Bureau between \$3,000 - \$7,000. At the moment, the Bureau has over 500 appeals at the AG's Office as they cannot be heard at the DRC. As a result of the costs incurred from the AG's Office and the Office of Administrative Hearings, the Bureau is expected to be insolvent in two budget years. The Chief referenced Table 1- BSIS Fund Condition in the *BSIS Staff Report*<sup>32</sup>, drawing the Committee's attention to FY 23/24, which begins with the Bureau in the red. The Department's legislative and executive teams informed the Bureau that fee increases through legislation are not feasible; however, the Bureau may be able to increase its fees because they are structured as a range and it's currently charging the minimum. She said future legislation may also provide budget relief for the Bureau. The Bureau's budget was also impacted by the mandatory 5% (~\$73,000) reduction imposed by the Governor's Office when a budget shortfall was anticipated. As a result, the Bureau submitted a budget augmentation letter for \$800,000 to support the AG costs associated with firearms assessment appeals.

The Chief then discussed SB 607<sup>33</sup> by Senator Roth, the Chair of the Senate Business and Professions Committee. The bill includes technical fixes for DCA Boards and Bureaus and requires applicants for a firearms permit to successfully complete the firearms assessment prior to taking the initial firearms training course. Currently, applicants must take the assessment upon the completion of a firearms training course, exam, and range qualification along with the submission of a complete firearms application. The Chief noted the process has significant up-front costs to

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<sup>31</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=9](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=9)

<sup>32</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=9](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=9)

<sup>33</sup> To view the full text of proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB607](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB607)

the applicant, which increases their likelihood of appealing a denial if they do not pass the firearms assessment. By shifting the assessment to the beginning the licensing process, applicants will know their eligibility to hold the permit prior to investing hundreds of dollars into the process. The Chief likened the change to the assessment under SB 607 to an entrance exam- noting the applicant could take the assessment up to two times per year. She stated the frequency is limited to twice per year to maintain the integrity of the exam. Currently, if an applicant fails the assessment, they must wait 12 months to retake the assessment. SB 607 has unanimous support and the Bureau expects the legislation to be signed into law, which would enact the provisions effective January 1, 2022. If passed, the Bureau anticipates a reduction of AG cases to their pre-firearms assessment levels.

The Chief thanked Member Morgan for his review of the licensing fees of neighboring states on the West Coast. She noted his research showed the Bureau's fees are on the lower end of the spectrum, especially with regards to company licensing fees.

Chief Andres then asked if the Committee had any questions regarding the Bureau's budget issues.

Member Morgan pondered why California has the lowest fees out of the Western States with the exception of Idaho that does not have any fees. He then asked whether the Legislature could review the Bureau's fee structure in relation to other Western States given the new use of force legislation, the Bureau's large licensing population, and its associated operating costs.

The Chief echoed Member Morgan's desire for a Legislative review of the Bureau's fee structure. She noted the process to increase fees is not as simple as submitting a request; rather, the Bureau must contract for an audit of their fee structure. The Chief stated the Legislature historically does not support fee increases in industries with disenfranchised populations as they represent a hardship to those licensees. She emphasized the Bureau's limitations adjusting its fee structure despite support by stakeholders in the private security industry. The Chief opined that as a result of these limitations, California's licensing fees have been kept artificially low.

Chief Andres asked if the Members had any other questions.

Member Boeglin asked if she could provide the name of the new employee who will be working the company desk.



Chief Andres said Sheila Keechel, who started the previous week, was promoted within the Licensing Unit to the Staff Services Manager (SSM 1) position.

The Chief asked the moderator to move to the next page in the *BSIS Staff Report*<sup>34</sup> so she could discuss further legislation impacting the Bureau.

#### **A. Assembly Bill 229 (Holden)<sup>35</sup>**

The Chief stated the Bureau took the concerns raised by the Committee in the February 26, 2021 Advisory Committee meeting<sup>36</sup> to Assemblymember Holden's office. She said the bill has been amended several times and noted the changes made since the last Advisory Committee meeting, which include:

- **Amount of training:** reduced from 10 hours to 8 hours. If passed, this provision would be effective January 1, 2023. The Bureau will be mandated to create a stakeholder group to work with Police Officer Standards and Training (POST) to develop the course outline and requirements (e.g., defining "appropriate use of force" and "best practices", addressing implicit bias, what not to do during an arrest, etc.). During Fall 2021/Spring 2022, the Bureau will be soliciting and appointing stakeholder group members and working with POST to shape the curriculum that will be rolled out to the BSIS-approved training facilities.
- **Clarifies definition of armed security guard:** the individual must be an employee of a Private Patrol Operator (PPO), the state, or a political subdivision. If passed, this provision would be effective January 1, 2022.

Member Morgan interjected, asking if there is a clear definition on what constitutes "armed."

Chief Andres said the bill was recently amended so she needed to review it and then get back to him with an answer. She continued discussing the specifics of the bill.

- **Requires submission of a written report upon the discharge of a firearm or physical altercation:** The Chief reminded attendees that the reports are mandated yet very few are received by the Bureau despite a high number of anecdotal and media reports. The Bureau wants to create a

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<sup>34</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=10](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=10)

<sup>35</sup> To view the full text of the proposed legislation, visit [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=20210220AB229](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=20210220AB229)

<sup>36</sup> [https://bsis.ca.gov/about\\_us/minutes/20210226acm.pdf#page=6](https://bsis.ca.gov/about_us/minutes/20210226acm.pdf#page=6)

more robust reporting system that allows for more detailed analysis. If passed, this provision would be effective January 1, 2022.

Chief Andres responded to Member Morgan's previous question regarding the specifics of the term "armed," stating it's defined as armed with a firearm or baton. She then continued discussing the AB 229.

- **Raises fine amounts for failing to submit written report:** increases fine from \$1,000 to \$2,500 for the first offense and from \$2,500 to \$5,000 for all subsequent violations.
- **Authorizes PPOs to provide Powers to Arrest (PTA) training manual to employees:** As a result of periodical updates to the PTA training manual, PPOs requested adding the manual online, which will allow them to provide employees access via a link.

The Chief asked if the Committee had any questions regarding AB 229.

Member Farmby stated he was familiar with the legislation. *Member Farmby lost audio and had a lagging video. He then lost video.*

Chief Andres moved on to address questions posed by Member Stanton Perez, who represents the public.

*Member Farmby's audio reconnected.*

Member Farmby apologized, saying he had a spotty connection. He asked if AB 229 applied only to private security firms (i.e., PPOs) or if it included public.

Chief Andres asked for clarification on the term "public."

Member Farmby asked if the legislation applies to sworn officers such as county, state, or municipal police or just the private security industry.

The Chief stated AB 229 only applies to BSIS-licensed security guards.

Member Farmby then asked Chief Andres to repeat the fines imposed for failure to report the discharge of a firearm or physical altercation.

Chief Andres restated the proposed fines under AB 229: \$2,500 for the first offense and \$5,000 for all subsequent offenses. Currently, the fines are \$1,000 for the first offense and \$2,500 for all subsequent offenses.

Member Farmby then asked for more information about the stakeholder group.

Chief Andres stated the bill requires the Bureau to create a stakeholder group along with POST to develop the curriculum and standards that will be rolled out on the use of force.

Member Farmby asked if there was a timeline on the creation of the stakeholder group.

Chief Andres said the Bureau has already reached out to POST and anticipates the passage of AB 229. Accordingly, the Bureau is figuring out its next steps.

Member Farmby asked whether the Chief knew what prompted AB 229, noting legislation is created to solve an issue.

Chief Andres stated she cannot speak for Assemblymember Holden; however, she has kept abreast of all hearings, in which the Assemblymember frequently points to the incident at the Golden One Center in Sacramento<sup>37</sup> as the motivation behind the legislation.

Member Perez noted the extensive state and federal reporting requirements for law enforcement whenever there is use of force to ensure the compilation of statistics. Upon his retirement with law enforcement, Member Perez joined a private security firm that had five accidental shootings. He attempted to locate a format to ensure that their organization conducted a thorough investigation. He asked if the Bureau intended on creating a mandatory template for the written report that would allow for greater accuracy and consistency of data and enable licensees to refer to it as a training resource.

Chief Andres deferred to DC-E Stodolski as the written reports fall under his purview.

DC-E Stodolski said the Bureau has a reporting form, *Incident Report*<sup>38</sup>, which is available on its website. He then asked Member Perez to restate his question to ensure it was answered.

Member Perez asked whether specific pieces of information are included in the Bureau's *Incident Report* that, if included, would help the industry. For example:

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<sup>37</sup> To view the announcement of AB 229 by Assemblymember Holden, which notes the incident at the Golden One Center, visit <https://asmdc.org/press-releases/assemblymember-holden-introduces-legislation-establish-use-force-training-private>

<sup>38</sup> [https://bsis.ca.gov/consumers/enforcement/incident\\_report\\_email.shtml](https://bsis.ca.gov/consumers/enforcement/incident_report_email.shtml)

- Did the incident occur at a clearing tube, if available?
- Did the incident occur at a site?
- Was the incident a result of training?

DC-E Stodolski stated most details regarding a firearms discharge will be included within the narrative. He agreed with Member Perez in the utility of the information and said he would confer with Enforcement staff regarding the form.

Chief Andres thanked Member Perez for his suggestion, noting the Bureau compiles the data; however, there has not been a substantial analysis of the data to date.

The Chief asked if the Committee had additional questions on AB 229.

Member Huntington stated he had experienced technical difficulties and wished to go back to discuss the Bureau's budget issues. He offered his and the California Association of Licensed Investigators' (CALI) support for SB 607.

Member Farmby offered his support to the Bureau in its efforts with AB 229.

**B. Assembly Bill 484 (Medina)<sup>39</sup>**

Chief Andres stated the bill would allow an Alarm Company Operator (ACO) to direct potential customers to their online landing page for their name and license number for radio, television, or billboard advertisements.

**C. Assembly Bill 515 (Chen)<sup>40</sup>**

The Chief said this bill affects the Repossessor Industry with regards to misdemeanor trespass. Current law dictates it's a misdemeanor to drive a vehicle upon property belonging to or occupied by another and known not to be open to the general public, without consent. If passed, the provision would not apply to a Repossession Agency (RA) and its employees when they are on private property searching for or repossessing collateral, and once they have completed their search, leave the property immediately.

**D. AB 913 (Smith)<sup>41</sup>**

Chief Andres noted the bill impacts the Repossession Industry by amending definitions within the Collateral Recovery Act, expands the registration

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<sup>39</sup> To view the full text of the proposed legislation, visit [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB484](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB484)

<sup>40</sup> To view the full text of the proposed legislation, visit [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB515](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB515)

<sup>41</sup> To view the full text of the proposed legislation, visit [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB913](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB913)

exemption to repossession agency employees who engage in out-of-office skip tracing or drive a camera car, and allows RAs to provide notice of seizure and inventory to the debtor via email. Currently, RAs must notify the debtor via USPS at the last registered address on file.

**E. AB 1221 (Flora)<sup>42</sup>**

Chief Andres explained the bill specifies that an alarm contract may be month-to-month or another periodic basis and continue until cancelled by the buyer/obligor. It also specifies additional information that must be included in the contract and when a month-to-month or periodically based contract may be cancelled.

**F. AB 358 (Flora)<sup>43</sup>**

The Chief noted advancements in the field of electrified security fences which has led to confusion on how they are regulated. Current law defines an “electrified security fence” and authorizes a property owner to install and operate said fence on their property. The bill, if passed, would allow an “electrified security fence” to interface with a monitored alarm system so it would enable the alarm system to alert the business, monitoring service, or both, in response to an intrusion or burglary. The Chief noted that the legislation does not impact the Bureau's Business and Professions Codes; however, given its tangential nature, wanted to include it in her presentation.

**G. AB 830 (Flora)<sup>44</sup>**

Chief Andres stated the bill, which has numerous provisions, impacts the Alarm Industry and is sponsored by the California Alarm Association (CAA).

**H. SB 607 (Min and Roth)<sup>45</sup>**

As a technical bill, SB 607 would fix the process of the firearms assessment.

**I. AB 107 (Salas)<sup>46</sup>**

The Chief said the bill requires the Department to issue temporary licenses to applicants who meet specific eligibility requirements.

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<sup>42</sup> To view the full text of the proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB1221](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1221)

<sup>43</sup> To view the full text of the proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB358](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB358)

<sup>44</sup> To view the full text of the proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB830](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB830)

<sup>45</sup> To view the full text of the proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB607](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB607)

<sup>46</sup> To view the full text of the proposed legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB107](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB107)

After completing her overview, Chief Andres asked if the Committee had questions regarding legislation.

Member Boeglin provided clarification on the applicability of AB 358 to the Bureau, stating that an electrified fence falls under the Bureau's jurisdiction because it is connected to a monitored system. He asked if the Bureau plans on updating the definition of alarm device to include an electrified fence.

Chief Andres said the Bureau was included in the discussion of AB 358 with regards to the installation of the electrified fence. She then asked PM Hage if he had any additional insight into the nexus of the legislation.

PM Hage stated the verbiage of the bill does not equate an electrified fence as an alarm system. However, if the electrified fence is connected to an alarm system, the company would fall under the Bureau's purview.

Member Boeglin asked if the electrified fence itself would be considered as an ancillary device connected to the alarm system, which then pulls the company under the Bureau's purview.

PM Hage verified it would only apply if the electrified fence is connected to an alarm device.

Member Boeglin explained the purpose of an electrified fence is a detection rather than protection system. He expressed his concern, which is echoed by the Alarm Industry, as the inclusion of detection system can open a company up to litigation. He noted limited interest in the legislation, citing it as a concern raised by the Industry's legislative committee. He then asked for the Bureau's position on the bill.

Chief Andres said the Bureau has been in communication with the Contractors State License Board (CSLB), noting both CSLB and the Bureau are taking a step back and reviewing the legislation.

Member Boeglin clarified that under CSLB's laws and regulations, once an installation falls under the jurisdiction of the Bureau, the installer is no longer required to follow CSLB laws and regulations. He pointed to this as the reason multiple companies hold licenses issued by both CSLB and BSIS.

Chief Andres noted this is part of a larger trend- *Where does the Bureau weigh in?* She provided the example of medical alerts, which are classified as personal protection alarms, and are issued to individuals at an increased fall risk. Due to

time constraints, the Bureau is taking a passive approach to legislation by monitoring the potentially impactful bills. She noted the Bureau will take an active role if needed.

Member Boeglin offered to take the discussion offline with representatives from the California Alarm Association (CAA) to consider the potential ramifications of the AB 358.

Member Glenn Younger, who represents the Locksmith Industry, stated he is a member of a CSLB Committee that recently discussed this topic. According to CSLB, alarm installers must have either a C-7<sup>47</sup>, C-10<sup>48</sup>, or C-28<sup>49</sup> license to install and hook the electrified fence into a system. He noted the issue centers around the connection of the electrified fence to the pre-existing system and theorized the potential for it to fall under the Bureau's jurisdiction in the future. However, Member Younger noted the installation currently falls under the three C-categories for a contractor's license (i.e., C-7, C-10, and C-28).

Member Boeglin and Chief Andres thanked Member Younger for his clarification.

Chief Andres began to discuss monitored systems then stopped, citing PM Hage's advice to avoid personal comment on legislation. She then said the Bureau will be monitoring AB 358.

Member Boeglin asked whether the requirement for dual licensure with CSLB and BSIS, which currently applies to commercial fire systems, has been called out for protection systems such as electrified fences and ELAN systems that are typically linked to an alarm system but are not under the Bureau's jurisdiction.

Member Younger provided additional clarification, stating a straight fence contractor cannot install an electrified fence- they must hold a C-7, C-10, or C-28 license.

Member Boeglin asked whether the connection of the electrified fence to an alarm system influenced the requirement had to hold a C-7, C-10, or C-28 license.

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<sup>47</sup> To view CSLB licensing specifications, visit  
[https://www.cslb.ca.gov/About\\_Us/Library/Licensing\\_Classifications/C-7 -  
\\_Low\\_Voltage\\_Systems\\_Contractor.aspx](https://www.cslb.ca.gov/About_Us/Library/Licensing_Classifications/C-7_-_Low_Voltage_Systems_Contractor.aspx)

<sup>48</sup> To view CSLB licensing specifications, visit  
[https://www.cslb.ca.gov/About\\_Us/Library/Licensing\\_Classifications/C-10 - Electrical.aspx](https://www.cslb.ca.gov/About_Us/Library/Licensing_Classifications/C-10_-_Electrical.aspx)

<sup>49</sup> To view CSLB licensing specifications, visit  
[https://www.cslb.ca.gov/About\\_Us/Library/Licensing\\_Classifications/C-28 -  
\\_Lock\\_And\\_Security\\_Equipment.aspx](https://www.cslb.ca.gov/About_Us/Library/Licensing_Classifications/C-28_-_Lock_And_Security_Equipment.aspx)



Member Younger verified an individual must hold a C-7, C-10, or C-28 license regardless of whether the electrified fence is connected to an alarm system.

Chief Andres thanked Member Younger for his clarification then moved on to the next agenda item.

## **9. Update on Enacted or Pending Regulations**

At 12:27pm, Chief Andres updated the Committee on the enacted or pending regulations. She asked the moderator to display the corresponding section of the *BSIS Staff Report*<sup>50</sup>.

### **A. Substantial Relationship Criteria, Criteria for Evaluating Rehabilitation (AB2138) – Sections 602 and 602.1 of Division 7 of Title 16 of the California Code of Regulations.**

The Chief noted DC-E Stodolski previous discussion and moved on.

### **B. Section 100 (Clean Up)**

Chief Andres explained the purpose of Section 100 regulations is to clean-up the Bureau's regulations by making technical amendments (e.g., grammatical corrections). This went into effect March 2021.

### **C. Badge and Patch Criteria**

The Bureau is currently pausing this rulemaking package given its limited staff resources. The Chief noted the Industry's concern that has been raised at multiple stakeholder meetings.

### **D. Private Investigator Fee Increase (SB 385)**

The Chief noted continued progress on this rulemaking package.

### **E. Firearm Qualification Card Training – Section 632 of Division 7 of Title 16 of the CA Code of Regulations**

Chief Andres stated the rulemaking package is also continuing to progress.

The Chief asked the Committee if they had any questions on the Bureau's regulations.

Member Miller asked for additional information on the firearm qualification card training.

Chief Andres deferred to PM Hage.

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<sup>50</sup> [https://bsis.ca.gov/about\\_us/agendas/20210722\\_handout.pdf#page=13](https://bsis.ca.gov/about_us/agendas/20210722_handout.pdf#page=13)

PM Hage reminded the Committee that the firearm is a perishable skill, noting instances in which the Bureau has received applications with the initial firearms training completed a year prior to the submission of their application. *Audio quality degraded significantly, making it difficult to understand PM Hage.* He stated it does not make sense to accept initial training conducted a year prior given the range qualification requirements for firearm renewals must be met twice per year. The new regulations would require an applicant to submit their initial firearms application no longer than six months from successfully completing the firearms training.

Chief Andres asked if there were any additional questions. With none raised, she asked the moderator to open it up to public comment.

The moderator provided instructions on how to make a public comment then opened the question and answer (Q&A) panel for public comment. She noted a request for comment was submitted by Leon Scroggins.

Leon Scroggins said he owned a Repossession Agency for 27 years and held a Repossession Agency Qualified Manager certificate for 33 years. He stated AB 913 is a rewording of AB 2759 (Chapter 354, Statutes of 2020) <sup>51</sup> and noted language was removed from AB 2759 prior to its passage; however, that language has been added to AB 913. He was under the impression BSIS went through DCA to oppose the bill, especially with regards to the removal of all weapons and the exemption from licensure for camera car drivers. He expressed concern about the exemption from licensure for camera car drivers as there is a misconception in the industry that those individuals do not exit the vehicle; in reality, drivers actively participate in the repossession of collateral. He then asked if the Bureau or DCA had objections to AB 913 during the legislative process.

Chief Andres said the Bureau also has ongoing concerns about the enacted legislation. She noted the Bureau is tasked with providing technical assistance to the Legislature and are not authorized to support or oppose legislation.

Mr. Scroggins asked if the Chief was aware of any action in favor or opposition to AB 913 that has been taken by DCA regarding.

The Chief noted the Department has expressed concerns then suggested Mr. Scroggins contact DCA.

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<sup>51</sup> To view full text of the enacted legislation, visit  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB2759](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2759)

Mr. Scroggins mentioned he wrote approximately 40 different letters to various Congresspeople during the legislative sessions. He noted his efforts were unsuccessful with the Assemblymembers but were fruitful with Senators, attributing the drastic change in AB 2759 to the information he provided them.

The moderator interjected, noting Mr. Scroggins had 30 seconds remaining.

Mr. Scroggins reiterated his concern, asking whether DCA had voiced objections given the same wording is found in AB 913 as was found in AB 2759. He stated he is also an employee of a national Repossessors' insurance buyers group. His major concern regards the changing of the wording from weapons in the vehicle to a firearm in the vehicle, which he argued can expose the Industry to lawsuits because a reposessor could now carry a baton, baseball bat, knife, etc. without the item being classified as a deadly weapon. He referenced how he trains employees, which emphasizes fleeing; however, he posited employees may now defend themselves with a variety of weapons that can be stowed in the tow truck.

Chief Andres thanked Mr. Scroggins for his comments. She then provided her email address and asked him to contact her so he could provide additional feedback on the bill.

The moderator introduced the next public commenter, Jody Ahrens.

Jody Ahrens, who is a private investigator, stated he has been waiting for over 45 days for his photo ID from PSI. When he contacted PSI, he was told the problem was on the Bureau's end. He said he is unable to enter county jails without the photo ID.

Chief Andres provided Mr. Ahrens with her email address and asked him to contact her to discuss the matter further.

Mr. Ahrens then asked if the Bureau planned on enhancing its wall certificates. He said the previous format for wall certificates, which could be purchased for a separate fee, is no longer available. He expressed disappointment at the quality of the wall certificate he received and wondered if the Bureau would consider enhancing the presentability of the wall certificates.

Chief Andres said the wall certificate is available for purchase for licensees<sup>52</sup>, noting she will discuss it further in their follow-up conversation.

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<sup>52</sup> Licensees can access the paper application at <https://www.bsis.ca.gov/replacementlicense/pi.pdf> or submit the request online at <https://www.breeze.ca.gov/>

The Chief asked the moderator if there were any other requests for public comment.

The moderator stated no additional requests were received. She then closed the Q&A panel.

#### **10. Update Regarding Private Investigator Pocket Cards**

At 12:39pm, the Chief reiterated the previous discussion points, noting PSI started issuing the enhanced photo ID cards in the previous month or two. She then asked if the Committee had any questions regarding the pocket cards. With no questions raised by the Members, Chief Andres asked the moderator to open the Q&A panel.

The moderator provided instructions on how to make a public comment then opened the question and answer (Q&A) panel for public comment. She noted a request was submitted by Jody Ahrens.

Mr. Ahrens asked whether the photo ID for private investigators is required by the Bureau.

PM Hage verified the enhanced photo IDs for private investigators is a requirement.

Mr. Ahrens asked if licensees are required to carry the paper license.

PM Hage said licensees should not receive a paper pocket card; however, he noted there may be some overlap in which the paper and pocket cards are issued at the same time. In time, licensees will only receive the photo ID, which is what the individual must carry on their person.

Mr. Ahrens thanked PM Hage for his clarification.

The moderator stated no other requests for comment had been received then closed the Q&A panel at the request of Chief Andres.

#### **11. Public Comment on Items Not on the Agenda**

At 12:41pm, the Chief asked the moderator to open the meeting to public comment.

The moderator provided instructions on how to make a public comment then opened the question and answer (Q&A) panel for public comment. Upon no response, the Q&A panel was closed by the moderator.

## **12. Committee Members' Recommendations for Future Advisory Committee Meeting Agenda Items**

At 12:42pm, the Chief asked the Committee to share their concerns, questions, or comments that they would like to be included as an agenda item in a future Advisory Committee meeting.

Member Chachere asked if there was any plan to include training for security guards for mass shooting awareness or preparation.

Chief Andres asked if Member Chachere was referencing a single shooter situation.

Member Chachere confirmed he meant single shooter and mentioned that the terms active shooter and mass shootings are also used to describe similar events. Mass shootings, however, are defined as an event that involves four or more injuries or deaths.

The Chief noted the Bureau has received similar feedback in the past. She said she is not clear on how the Bureau can update its training manual. *Chief Andres received a note from staff regarding the topic.* She clarified the active shooter training module is delineated in AB 229 and will be included in the overhaul of the Powers to Arrest training.

Member Chachere then asked if there was a time limit on the issuance of a training facility license. He stated the facility where he worked encountered a licensing issue because they were originally licensed as an LLC. He noted that it has been 8 months since the facility started the re-licensure process and the Bureau is currently estimating the license will be issued in the coming weeks. He asked if there were limitations to when the license will be issued and why an enforcement audit was conducted 8 years after the license was issued.

Chief Andres explained that the Bureau previously allowed training facilities to be organized as a limited liability company (LLC) or limited partnership. As a result of the corporate structure, the owners and corporations were shielded from liability when something happened. She asked if Member Chachere would be open to following up with his licensing issue offline.

Member Chachere agreed then recommended verifying the corporate structure of other security training schools. He noted that a training facility that found itself in the same situation was able to restructure within 3-4 months and compared it to the current processing of his application, which is nearly at 9 months. He urged the Bureau to investigate whether other facilities are improperly structured to

avoid a similar licensing situation that leaves the company and employees out of work and in a financial hardship.

The Chief thanked Member Chachere for his comment then asked the Committee if they had any other recommendations.

Member Huntington asked to include the PI identification cards on the next agenda in order to track its progress.

With no other comments, Chief Andres moved to the next agenda item.

### **13. Adjournment**

At 12:48pm, the Chief adjourned the meeting.